

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

BERN STARES, et al, )  
Plaintiffs, )

NO. 367315

vs. )

ANSWER TO PLAINTIFF'S  
AMENDED COMPLAINT

MINNIE HUGHES, Executrix of this the )  
Last Will and Testament of Maude )  
Palmberg, Deceased, et al, )  
Defendants. )

**FILED**

IN COUNTY CLERK'S OFFICE  
KING COUNTY, WASHINGTON

SEP 13 1948

NORMAN R. HUBBELL

CLERK  
DEPUTY

Come now the defendants, Annie L. Stangroos, BERTHA TUTTLE, ALFRED ZENGEL, CHARLOTTE ZENGEL, LADORA J. A. ZENGLE, individually and as administrator of the estate of ELIZABETH ZENGEL, and for answer to the Amended Complaint of the Plaintiffs, here say:

I.

Answering Paragraph I of the said Amended Complaint these defendants admit that the parties are joint owners of Parcels A and C designated in said paragraph, but deny all the remainder of said paragraph.

II.

Answering Paragraph II, they admit that Minnie Hughes is the executrix of the will of Maude Palmberg; that Gertrude Hughes was formerly Gentle Gorman; they deny all other parts of said paragraph.

III.

They deny Paragraph III of the said amended complaint.

IV.

They deny Paragraph IV of said amended complaint.

V.

Answering Paragraph V, they deny the same and each and every part thereof, except they admit that Gertrude Hughes and her husband improved Parcel A. They admit that no party paid any rent.

VI.

Answering Paragraph VI, the defendants deny the same.

(1)

OFFICE OF SHERIFF  
JAMES H. HALL  
1000 FOURTH AVENUE  
SEATTLE 1, WASH.  
MAIN 5336

VII.

They deny Paragraph VII and each and every part thereof.

VIII.

They deny Paragraph VIII.

FOR FURTHER ANSWER AND BY WAY OF CROSS-COMPLAINT AGAINST THE PLAINTIFF, THESE DEFENDANTS SAY:

I.

That the property involved in this proceeding is property owned by the parents of the parties hereto. That the plaintiff, Bert Stares, was administrator of the estate, but after the closing of the estate these defendants and the other defendants, while the property was still intact, gave to plaintiff the money to pay the taxes upon said property, relying upon the plaintiff, Bert Stares, to pay the same, and that he accepted the same, as trustee, for the purpose of paying the taxes. That after some time these defendants discovered that plaintiff had misappropriated the money and had not paid the taxes, as a result of which these defendants lost their interest in Parcel B of the property mentioned in the complaint, and the same was sold for taxes, and the same has become a total loss to these defendants, as well as the money which they advanced to pay the taxes; and that these defendants, Annie Stangroom and E. L. Stangroom, are the sole owners of the real property designated in the complaint as Parcel B, and that none of the other parties herein have any interest in said Parcel B, but that it was purchased with the community funds of Annie L. Stangroom and Stuart Stangroom. That said Parcel B was sold for taxes for the reason that the plaintiff, Bert Stares, had misappropriated the funds paid to him by the defendants for the purpose of paying the taxes on the property involved.

II.

That if the partition be had in this case, these defendants assert that they are entitled to have their proportionate share of the value of the Parcel B, which was lost to these defendants by

reason of the taxes not being paid, charged against the plaintiff as well as the money which they advanced to the plaintiff to pay the taxes, and which were misappropriated by said Bert Staras.

*Edith M. Abel*  
Attorney for Defendants

STATE OF WASHINGTON )  
COUNTY OF KING ) ss

ANNIE STANGROOM, being first duly sworn, on oath deposes and says: That she is one of the defendants in the above-entitled action, that she has read the above and foregoing answer; knows the contents thereof; and believes the same to be true.

*Annie Stangroom*  
ANNIE STANGROOM

SUBSCRIBED and SWORN to before me this 4<sup>th</sup> day of *April* 1948.

*Edith M. Abel*  
Notary Public in and for the State of Washington, residing at Seattle

COPY RECEIVED

9-11-1948  
FELTON, THOMPSON & ROSENWITZ

*Don copy 9:48 am Apr 13, 1948*  
*Walter J. Hughes*  
*Walter J. Hughes*  
*Walter J. Hughes*  
*Walter J. Hughes*  
*Walter J. Hughes*

copy rec'd 4/13/48  
Sheldon S. Turner  
Atty for Plaintiff